

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	William N. Borkan	Confirmation No. 9020
Serial No.:	10/712,053	Art Unit: 3766
Filed:	November 14, 2003	Examiner: Gedeon, Brian T.
For:	CATHETER LEADS FOR THE INTRATHECAL SPACE AND METHOD OF USE	

AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the official Office Action dated May 4, 2006, please amend the above-identified application as shown in the attached Claims Summary.

Claims 1-23 stand rejected under the grounds of non-statutory obvious-type double patenting as being unpatentable over claims 1-8, 11-22, 25, 28-35, 39, 41, and 44-46 of U.S. Patent 6,510,347. A Terminal Disclaimer accompanies the present amendment. Thus, the double patenting rejection is considered overcome.

Claims 1, 2, 7, 8, 14 and 19 stand rejected under 35 U.S.C. as being unpatentable over Deletis *et al.* in view of Hess *et al.* Claims 3, 15 and 20 are rejected further in view of Vaiani *et al.* The rejection of these claims are respectfully traversed.

Claims 4-6, 9, 10, 16-18 and 21-23 were objected to and were indicated as directed to allowable subject matter.

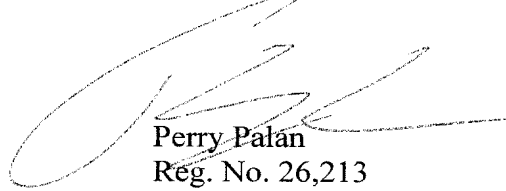
Claims 11, 12 and 13 were not addressed in the rejection, other than the double patenting rejection.

Claim 1 has been amended to include the limitation of cancelled claim 4. Claim 5 has been amended to incorporate the limitations of Claim 1. Claim 7 has been amended to incorporate the limitations of cancelled claim 10. Claim 14 has been amended to include the limitation of cancelled claim 16. Claim 17 has been amended to include the limitations of claim 14. Claim 19 has been amended to include the limitations of cancelled claim 21 and claim 22 has been amended to include the limitations of claim 19.

Thus all the claims are directed to allowable subject matter. The other objected to claims, as well as rejected claims are considered to be covered by claims in U.S. Patent 6,510,347 or the parent U.S. Patent 6,832,115. Thus arguments with respect to the rejected claims are not included herein. Thus passage of this case to issue is respectfully solicited.

It is respectfully requested that, if necessary to affect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to affect a timely response and shortages in other fees be charged, or any overpayment in fees be credited to the Barnes & Thornburg LLP Deposit Account No. 02-1010 (829/36582Div).

Respectfully submitted,



Perry Palan
Reg. No. 26,213